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**IN THE UNITED STATES  
PATENT AND TRADEMARK OFFICE**

**PATENT APPLICATION**

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**NOV 06 2003**

Applicant(s): Zack et al.  
Case: DIVA/198  
Serial No.: 09/458,322 Filed: December 10, 1995  
Group Art Unit: 2611  
Examiner: HUYNH, SON P.  
Title: METHOD AND APPARATUS FOR PROVIDING IN-BAND  
MESSAGING WITHIN A VIDEO ON DEMAND ENVIRONMENT

**PRELIMINARY AMENDMENT**

Mail Stop-RCE  
COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, VA 22313-1450

S I R:

This Preliminary Amendment accompanies a Request for Continued Examination that is filed simultaneously herewith in response to a final Office Action mailed on June 6, 2003.

Please enter this amendment and then consider the pending claims.

Although applicants believe only a Request for Continued Examination filing fee is due, the Commissioner is hereby authorized to charge applicants' attorneys' Deposit Account No. 20-0782 for any fees, including additional extension of time fees or excess claim fees, required to make this filing timely and acceptable to the Office.